

## Seniority and benefits

### Seniority

You continue to earn seniority and credit for length of service and length of employment while on any of the four leaves.

### Employer-provided benefit plans

While you are on Pregnancy, Parental, Emergency or Family Medical Leave, your employer must continue to pay into most benefit plans (i.e., pension, life and extended health insurance, accidental death and dental plans).

### Federal Employment Insurance benefits

Maternity, Parental and Compassionate Care benefits are payments from the federal Employment Insurance program. For more information, call the Human Resources and Skills Development Canada - Employment Insurance Inquiry line toll-free at 1-800-206-7218.

## Can I be fired for taking these leaves?

No. If you are eligible, you have the right to take Pregnancy, Parental, Emergency and Family Medical Leaves.

Your employer cannot intimidate you, fire you, suspend you, reduce your pay, punish you in any way or threaten any of these actions because you take or plan to take any of these leaves.

If this happens, contact the Ministry of Labour.

## Contact the Ministry of Labour

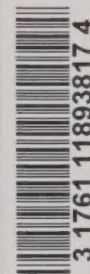
- Call the Employment Standards Information Centre at:
  - 416-326-7160 (Toronto area)
  - or
  - 1-800-531-5551 (toll-free).
- Call or visit your nearest Ministry of Labour office. You will find the number in the Blue Pages of your local telephone book.
- Visit the Ministry of Labour website at [www.gov.on.ca/lab](http://www.gov.on.ca/lab). From there you can find answers to your questions or you can email us.

If you do not speak English or French, find someone who can and have them with you when you call or visit the Ministry of Labour.



*This information is provided as a public service. Although we endeavour to ensure that the information is as current and accurate as possible, errors do occasionally occur. Therefore, we cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.*

# Leaves of Absence



*An introduction to*  
**Pregnancy, Parental,  
Emergency and  
Family Medical Leaves**



**The Employment Standards Act, 2000, known as the ESA, is a law that sets minimum standards for fair workplace practices in Ontario.**

If you are protected by the ESA, you may have the right to take time off from work for Pregnancy, Parental, Emergency and Family Medical Leaves.

## Pregnancy and Parental Leave

### Pregnancy Leave

Pregnancy Leave is up to 17 weeks of job-protected, unpaid time off work. If you are pregnant, you are entitled to take Pregnancy Leave whether you are a full-time, part-time, permanent or contract employee. You must have been hired at least 13 weeks before your baby's expected birth date ("due date").

### Parental Leave

As a new parent (e.g., birth parent, adopting parent, person in a relationship with a parent of a child and plans to treat the child as their own) you have the right to take job-protected, unpaid time off work when a child is born or first comes into your care.

You are entitled to take Parental Leave whether you are a full-time, part-time, permanent or contract employee. To qualify, you must have been hired at least 13 weeks before the start of the leave.

Employees who take Pregnancy Leave are entitled to take up to 35 weeks of Parental Leave, usually beginning right after their Pregnancy Leave ends. Those who don't take Pregnancy Leave and all other new

parents can take up to 37 weeks of Parental Leave, beginning no later than 52 weeks after the date the child was born or first came into their care. Parents do not have to take their leave at the same time.

### Notifying your employer

Except in certain cases, you must inform your employer in writing two weeks before beginning a Pregnancy or Parental Leave. You must also provide your employer with four weeks written notice if you are changing the end date of your leave.

**NOTE:** Once you have started Pregnancy or Parental Leave, you must take it all at one time and can't split it up.

## Emergency Leave

Emergency Leave is unpaid, job-protected time off work for up to 10 days per calendar year. To qualify, your employer must regularly employ at least 50 workers.

This leave may be taken for personal illness, injury or medical emergency or for the death, illness, injury, medical emergency or urgent matter relating to:

- your spouse
- a parent, child, grandparent, or grandchild of you or your spouse
- the spouse of your child
- your brother or sister
- a relative who is dependent on you for care or assistance.

### Notifying your employer

You must tell your employer that you will be taking Emergency Leave before it begins, or as soon as you can.

**NOTE:** The 10 days of Emergency Leave don't have to be taken all at once. However, your employer can count any part of a day taken off as a full day of Emergency Leave.

## Family Medical Leave

Family Medical Leave is unpaid, job-protected time off work for up to eight weeks in a 26-week period.

This leave may be taken to care for and support a family member who has a serious medical condition with a significant risk of dying within a period of 26 weeks. This family member may be your spouse, parent, child or child of your spouse.

The medical condition and risk of death must be confirmed in a certificate issued by a qualified health practitioner.

You are entitled to Family Medical Leave whether you are a full-time, part-time, permanent or contract employee.

If two or more employees qualify to take the leave to care for the same person, the eight weeks must be shared.

### Notifying your employer

You must inform your employer in writing that you will be taking Family Medical Leave before it begins, or as soon as you can.

**NOTE:** The eight weeks of a Family Medical Leave do not have to be taken at the same time.